

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of Docket No WT 12-69 *Promoting Interoperability in the 700 MHz Commercial Spectrum*

**Comment of Information Age Economics**

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We have reviewed the deal proposed by AT&T to achieve LTE interoperability in the 700 MHz Lower Band. Regrettably, this proposed solution fails several basic criteria before it is to be considered as credible and enforceable, or likely to guarantee interoperability in our time.

Analysis of the commitments made by AT&T<sup>1</sup> makes it clear that actual implementation of the deal:

- Will be up to the “sole discretion” (p. 3 of Letter) of AT&T;
- Foresees a timeline during which the number of non-interoperable devices in service in the U.S. will expand by many tens of millions<sup>2</sup>;
- Does not affect and leaves the gate wide open for the further expansion of non-interoperability, not only through the introduction of carrier aggregation, that will likely be deployed beginning in 2014-2015, but also potentially in the future 600 MHz Band, thereby providing further opportunities for the launch of new non-interoperable devices<sup>3</sup>;

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<sup>1</sup> Letter from AT&T to Chairwoman Mignon Clyburn, September 10, 2013, <http://apps.fcc.gov/ecfs/document/view?id=7520942822>

<sup>2</sup> One forecast predicts there will be over 260 million LTE subscriptions in the U.S. by 2017 (<http://www.fiercewireless.com/story/report-us-lte-subscribers-will-make-70-connections-2017/2013-06-11>), so it is not hard to envisage a number of well over 100 million non-interoperable devices in service during 2015, combining the customer bases of AT&T and Verizon.

<sup>3</sup> Coincidentally with the release of the AT&T letter about its interoperability deal, Apple announced its next versions of the iPhone 5 (the 5C and 5S) that include NO Band 12 compatibility.

- Is not based on an industry solution because although interoperability is a matter of fundamental importance that affects ALL users and providers of wireless services it has not been developed by an independent body representing all the industry, but by a subset of operators;
- Is not enforceable in any practical way since no penalties or incentives are specified in order to make sure that AT&T lives up even to the conditional commitments it makes, that are, in any case, left to its "sole discretion."